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15292-00005/UNMC 63102 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sam D. Sanderson et al. : Art Unit: 1644
Serial No.: 09/051,685 : Examiner: F. VanderVegt
Filed: August 19, 1998 :
FOR: COMPOSITIONS AND :
METHODS FOR
ENHANCING IMMUNE
RESPONSES MEDIATED BY
ANTIGEN-PRESENTING
CELLS

17/E
100
5-18-01

Certificate of Mailing Under 37 CFR §1.8(a)

I hereby certify that this Correspondence is being deposited on May 2, 2001 with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER OF PATENTS, Washington, DC 20231.

May 2, 2001
Date of Certificate

Delecia J. Williams
Delecia J. Williams

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Honorable Commissioner for Patents
Washington, DC 20231

S I R :

Responsive to the Official Action dated **April 2, 2001** (copy enclosed), please enter the enclosed amendment, which is a substitute of the amendment filed on March 8, 2001. In particular, the enclosed amendment contains

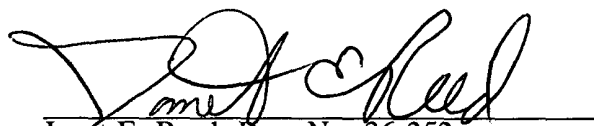
(a) a clean version of the replacement paragraph/section as required by 37 CFR 1.121(b)(1)(ii);

(b) a marked-up version of the replacement paragraph/section as required by 37 CFR 1.121(b)(1)(iii);

(c) a clean version of the amended claims as required by 37 CFR 1.121(c)(1)(i);
and

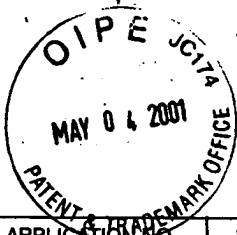
(d) a marked-up version of the amended claims as required by 37 CFR 1.121(c)(1)(ii).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Janet E. Reed", is written over a horizontal line.

Janet E. Reed, Reg. No. 36,252
Attorney for Applicant

Dated: May 2, 2001
Saul Ewing LLP
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Philadelphia, PA 19102-2186
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**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/051,685	08/19/98	SANDERSON	S UNMC63102

000110 HM11/0402
DANN DORFMAN HERRELL & SKILLMAN
SUITE 720
1601 MARKET STREET
PHILADELPHIA PA 19103-2607

13292.00005
EXAMINER

VANDER VEGT, F

ART UNIT

PAPER NUMBER

1644

DATE MAILED: 04/02/01

RECEIVED
4/9/01
IP GROUP
APR 19 2001

**SAULEWING REMICK
& SAULLP**

Due 5/2/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED:

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 3-17-01 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☒ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
 - ☒ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
 - ☐ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
 - ☐ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
 - ☐ 5. Other _____
- ☐ **PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

Legal Instruments Examiner

Team Leader II

703-304-3081

Changes to the Patent Rules

October 20, 2000

Volume 1, Issue 3

This is the third in a series of Patent News Bulletins to assist you in keeping up to date with significant rule changes which affect your area. Keep this copy to use as a bookmark for your present MPEP, or view this bulletin again on the USPTO Website.



Simplified Amendment Practice. Replacement paragraphs/sections/claims to be used. 37 CFR 1.121

The rule package "Changes to the Patent Business Goals - Final Rule," published in the Federal Register on September 8, 2000, 65 Fed. Reg. 54603 (Sept. 8, 2000), and the Official Gazette on September 19, 2000, 1238 Off. Gaz. Pat. Off. 77 (September 19, 2000). The PBG rule package makes a number of revisions to Title 37.

The entire final rule may be found at the USPTO Website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/index.html>.

Areas and individuals primarily affected by this rule change include:
(1) Patent Examiners and Tech Support Staff in the Technology Centers
(2) Office of Patent Publication

Any questions related to this change in practice should be directed to Joe Narcavage, Special Projects Exr., (703-305-1795) or Liz Dougherty, Legal Advisor, (703-306-3156) OPLA.



Mandatory compliance with the revised rule is not required until March 1, 2001. It is suggested that applicants adopt the revised procedures on or after November 7, 2000, in order to adjust to the changes in amendment practice.

Under the new amendment practice, amendments to the specification must be made by the submission of clean new or replacement paragraph(s), section(s), specification, or claim(s). This practice will provide a specification (including claims) in clean, or substantially clean, form that can be effectively captured and converted by optical character recognition (OCR) scanning during the patent printing process.

The new practice requires applicant to provide, in addition to the clean version of a replacement paragraph/section/claim, a marked-up version using applicant's choice of a conventional marking system to indicate the changes, which will aid the examiner in identifying the changes that have been made. The marked-up version must be based on the previous version and indicate (by markings) how the previous version has been modified to produce the clean version submitted in the current amendment. The term "previous version" means the version of record in the application as originally filed or from a previously entered amendment.

The following format is suggested in an amendment paper: (1) a clean version of each replacement paragraph/section/claim with clear instructions for entry; (2) starting on a separate page, any remarks/arguments (37 CFR 1.111); and (3) starting on a separate page, a marked-up

version entitled "Version with markings to show changes made."

Applicants will also be able to submit a clean set of all pending claims, consolidating all previous versions of pending claims from a series of separate amendments into a single clean version in a single amendment paper. This submission of a clean version of all of the pending claims will be construed as directing the cancellation of all previous versions of any pending claims. No marked-up version will be required to accompany the clean version where no changes other than the consolidation are being made.

The amended rule encourages issuance of applications with an examiner's amendment without practitioners/applicants having to file a formal amendment. Additions or deletions of subject matter in the specification, including the claims, may continue to be

made in an examiner's amendment at the time of allowance by instructions to make any change at a precise location in the specification or the claims. An examiner's amendment may incorporate a printed copy of a fax or e-mail amendment submitted by applicant. Only that part of the e-mail or fax directed to a clean version, or a portion of, a paragraph/claim to be added should be printed and attached to the examiner's amendment, with a paper copy of the entire e-mail or fax being entered in the file. The electronic version of the e-mail is not required to be saved once the printed e-mail (and any attachments) becomes part of the application file record.

Amendment by
paragraph/claim
replacement in clean form.

MPEP 714+ & 1302.04